

REMARKS

Claims 22-57 have been canceled in the interest of expediting the current prosecution.

Claim Objections

Claims 5 and 6 have been amended to correct the erroneous dependency.

Claim Rejections 35 U.S.C. §102

The rejection of claim 1 under 35 U.S.C. §102(b) as being anticipated by Herbert is respectfully traversed.

The Applicant believes that the Examiner has mistakenly interpreted arm 18 connected to terminals 40 in Herbert as an electrical generator. Herbert describes this structure at paragraph [0048] as a "Lorentz force motor" not a generator. While these structures are superficially similar, they are diametric opposites in function. An electrical generator produces electrical power while a Lorentz force motor requires electrical power for operation. In fact, the operation of this structure as a motor presumes an input of power that prevents power from being extracted.

The Examiner also appears to identify item 24 as a generator, and in particular appears to be referring to the interdigitated structure of a variable capacitor. Such a structure does not inherently generate electrical power, and does not generate electrical power as configured or taught by Herbert. Instead, the variable capacitor is used as a sensor and implicitly receives electrical power—thus also teaching away from the generation of electrical power.

In this respect, the Examiner cites column 2, lines 56-58 as follows:

The control circuit then produces an output signal that follows the input signal but is electrically isolated therefrom.

This passage refers to a control circuit connected to the variable capacitor. This is evident from the previous sentence at lines 54-56:

This motion induces a corresponding change in the control capacitance that is detected by a control circuit.

It is important to note in this regard, that most devices that produce electrical signals are not generators. To be an electrical generator, a device must produce more electrical power than

it consumes. Thus, a light switch, which produces an electrical signal to a light, is not an electrical generator because it produces no power. Similarly, the control circuit above, which detects changes of capacitance, would be understood to be consuming electrical power from another source. The same reasoning applies to the Examiner's suggestions that operational amplifiers are electrical generators or that an isolator that produces an output signal is an electrical generator (again they produce no net power).

The Examiner also refers generally to transverse arms 14 and 16 (in addition to arm 18 discussed above) as electrical generators. Applicant can find no support in Herbert that would suggest that these elements are generators and a person of ordinary skill in the art, seeing that no provision is provided for the extraction of electrical power from these elements would assume that they are not generators. Even with the Examiner's suggestion, Applicant cannot see how electrical power could be extracted from transverse arms 14 and 16 as configured in Herbert.

With respect to claim 5 which requires effectively microscopic generator coils, this element is found in none of the cited references alone or in combination. The Applicant rejects the Examiner's suggestion that any modification of Herbert that is broadly beneficial, for a purpose not taught or recognized by Herbert, would be obvious. This is clearly not the standard of obviousness because if it were, only inventions that were not beneficial would be nonobvious. The ability to produce coils of conductors that are flexible on an integrated circuit level MEMS device is neither taught nor suggested by any of the references.

In light of these remarks and comments it is believed that claims 1-3, 5-6, 10-21 are now in condition for allowance and allowance is respectfully requested.

Very truly yours,

RICHARD D. HARRIS ET AL.

By: 

Keith M. Baxter
Reg. No. 31,233
Attorney for Applicant
Boyle Fredrickson Newholm Stein & Gratz, S.C.
250 East Wisconsin Avenue, Suite 1030
Milwaukee, WI 53202